

PHILLIP A. TALBERT
United States Attorney
CHRISTOPHER S. HALES
Assistant U.S. Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
(916) 554-2700

Attorneys for Plaintiff
United States of America

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

In re: Marijuana Possession Dismissals
Pursuant to October 6, 2022, Presidential
Proclamation Pardoning Individuals for the
Offense of Simple Possession of Marijuana

UNITED STATES'S MOTION TO DISMISS AND
RECALL BENCH WARRANTS;
ORDER

Dismissal of Marijuana Possession Cases Pursuant to Presidential Pardon

By a presidential proclamation on October 6, 2022, President Biden announced a pardon for federal misdemeanor marijuana possession offenses.¹ Pursuant to that presidential pardon and Rule 48(a) of the Federal Rules of Criminal Procedure, plaintiff United States of America, by and through its undersigned attorney, hereby moves this Honorable Court for an Order dismissing the 196 misdemeanor marijuana possession cases listed in Exhibit A to this motion, and to recall all associated warrants.

The list below contains those Eastern District of California marijuana possession cases that the U.S. Attorney's office has identified to date as still pending before the Sacramento division of the

¹ See <https://www.whitehouse.gov/briefing-room/presidential-actions/2022/10/06/granting-pardon-for-the-offense-of-simple-possession-of-marijuana/> (last accessed August 7, 2023).

1 district, including Redding, that have assigned ECF case numbers. Many of these cases remain open
2 because they are in warrant status. Consistent with President Biden's proclamation, the government
3 therefore requests that this Court order dismissal of these cases and recall of all associated warrants.

4 Respectfully submitted,

5 Dated: August 8, 2023

6 PHILLIP A. TALBERT
7 United States Attorney

8 

9

CHRISTOPHER S. HALES
10 Assistant United States Attorney

11
12 **ORDER**

13
14 As Chief Magistrate Judge for the Eastern District of California, and pursuant to the motion of
15 the United States, I hereby order dismissal of each misdemeanor marijuana possession case listed below
16 in Exhibit A, and the recall of all warrants associated with each case. I further direct the Clerk of the
17 Court to file a copy of this signed order in each of the cases listed below.

18 IT IS SO ORDERED.

19 Dated: August 9, 2023

20 

21

KENDALL J. NEWMAN
22 UNITED STATES MAGISTRATE JUDGE

Exhibit A
List of Cases to be Dismissed

	ECF Case Number	Defendant
1	2:17-PO-00495-DB	Jose Rosas
2	2:18-PO-00011-AC	Frank Martinez
3	2:18-PO-00138-AC	Daniel R. Carlson
4	2:18-PO-00149-DB	Robert Mesta
5	2:18-PO-00331-DB	Kevin B. Cowan
6	2:19-PO-00032-AC	Cherish Carter
7	2:19-PO-00304-DB	Joshua N. Stark
8	2:20-PO-00038-AC	Aron Daniel
9	2:20-PO-00040-AC	Michael V. Dzigorski
10	2:20-PO-00205-KJN	Scott S. Barrett
11	2:20-PO-00300-EFB	Mario Bargas
12	2:20-PO-00462-DB	Shaundell M. Hatcher-Harris
13	2:20-PO-00479-CKD	Jasmine Moschell
14	2:20-PO-00562-CKD	Robert Williams
15	2:20-PO-00602-DB	Thomas Hasch
16	2:21-PO-00159-AC	Zachary J. Noack
17	2:21-PO-00195-DB	Anthony Wright
18	2:21-PO-00274-CKD	Winston Jackson
19	2:21-PO-00282-CKD	Kurt Smith
20	2:21-PO-00369-JDP	Michael R. Block
21	2:21-PO-00390-JDP	Michael Meletiou
22	2:21-PO-00395-JDP	Hosanna Perez
23	2:21-PO-00405-JDP	Allen White
24	2:21-PO-00421-AC	Donald Clontz
25	2:21-PO-00442-AC	Robert T. Ocoboc
26	2:21-PO-00475-KJN	Harold Deaulette
27	2:22-PO-00020-KJN	Michael A. Heller
28	2:22-PO-00235-DB	Michael Binder
	2:22-PO-00006-CMK	Mindy J. Gaede
	2:22-PO-00008-CMK	Tonka Gritts
	2:22-PO-00016-CMK	Johnny C. Lor
	2:22-PO-00019-CMK	Stephen Lundquist
	2:22-PO-00021-CMK	Warren Martin
	2:22-PO-00026-CMK	Dwayne Meyers
	2:22-PO-00034-CMK	Johnny Lou

	ECF Case Number	Defendant
36	3:16-PO-00073-CMK	Oliver Fresquez
37	3:16-PO-00111-CMK	Ronald Kistle
38	3:16-PO-00133-CMK	William Carter
39	3:16-PO-00135-CMK	Jeremy Deleal
40	3:16-PO-00176-CMK	Peter S. Graf
41	3:16-PO-00196-CMK	Gregory Crater
42	3:16-PO-00213-CMK	John Moreno
43	3:16-PO-00216-CMK	Silvestre Nevarez
44	3:16-PO-00242-CMK	Thomas Bailey
45	3:16-PO-00457-CMK	Tory Smith
46	3:16-PO-00502-CMK	Larry E. Sipes
47	3:16-PO-00521-CMK	Anthony E. Deal
48	3:16-PO-00552-CMK	Lee Khang
49	3:16-PO-00571-CMK	Madison E. Bonnel
50	3:16-PO-00573-CMK	Rogelio Deival-Riggs
51	3:16-PO-00581-CMK	Warren Martin
52	3:16-PO-00584-CMK	William C. Moon
53	3:16-PO-00603-CMK	James E. Crosley
54	3:16-PO-00609-CMK	Devin C. Johnson
55	3:16-PO-00627-CMK	William R. Winstead
56	3:16-PO-00629-CMK	Emillano D. Herrera-Anaya
57	3:17-PO-00045-CMK	Tanyia E. Callahan
58	3:17-PO-00050-CMK	Davis L. Cutter
59	3:17-PO-00059-CMK	Tiffany Haner
60	3:17-PO-00064-CMK	Rosser L. Jones
61	3:17-PO-00069-CMK	Joshua A. Levi
62	3:17-PO-00081-CMK	Eric L. Milam
63	3:17-PO-00087-CMK	Justin T. Resmondo
64	3:17-PO-00090-CMK	Lai H. Saeyang
65	3:17-PO-00093-CMK	Danford L. Schow
66	3:17-PO-00155-CMK	Robert A. Edwards
67	3:17-PO-00166-CMK	Joseph V. Trevino
68	3:17-PO-00167-CMK	Paul Vaughan
69	3:17-PO-00171-CMK	James M. Atwood
70	3:17-PO-00172-CMK	Michael A. Fontes
71	3:17-PO-00177-CMK	Michael B. Yingling
72	3:17-PO-00210-CMK	William A. Abrego
73	3:17-PO-00224-CMK	Charles M. Niemeien
74	3:17-PO-00227-CMK	Amy Tiner
75	3:17-PO-00229-CMK	Kevin L. Turner
76	3:17-PO-00242-CMK	Tianna M. Lee

	ECF Case Number	Defendant
77	3:17-PO-00259-CMK	Travis A. Gendreau
78	3:17-PO-00328-CMK	Marcus A. Collins
79	3:17-PO-00336-CMK	Gary S. Due
80	3:17-PO-00345-CMK	Sergio Guerrero Jr
81	3:17-PO-00353-CMK	Zachary T. Hobbs
82	3:17-PO-00355-CMK	Robert A. Jones Jr
83	3:17-PO-00360-CMK	Katie V. Lucas
84	3:17-PO-00361-CMK	Alexandrya MagdalenoChapman
85	3:17-PO-00368-CMK	James Pawlyk
86	3:17-PO-00374-CMK	Christopher W. Rathja Jr
87	3:17-PO-00386-CMK	Nicholas Schave
88	3:17-PO-00393-CMK	Jodie A. Teal
89	3:17-PO-00395-CMK	Justin L. Wade
90	3:17-PO-00396-CMK	Franklin A. Williams
91	3:17-PO-00451-CMK	Rodney W. Young
92	3:17-PO-00508-CMK	Sarah S. Hayburn
93	3:17-PO-00598-CMK	Giovanni A. Cabrera-Caicedo
94	3:17-PO-00622-CMK	Antonio J. Ramirez
95	3:17-PO-00629-CMK	Ruben Vargas
96	3:17-PO-00661-CMK	Gary T. Haren
97	3:17-PO-00670-CMK	Brandon Birron
98	3:17-PO-00675-CMK	Alexander W. Calvert
99	3:17-PO-00682-CMK	Carlos X. Cruz
100	3:17-PO-00693-CMK	James O. Hamilton II
101	3:17-PO-00696-CMK	Eric L. Hatfield
102	3:17-PO-00703-CMK	Larry Laird
103	3:17-PO-00712-CMK	Jaime E. Montana Equihua
104	3:17-PO-00720-CMK	Sarah E. Preston
105	3:17-PO-00726-CMK	Evan Stowers
106	3:18-PO-00038-CMK	Lorrie M. Robinson
107	3:18-PO-00041-CMK	Amber Yates
108	3:18-PO-00050-CMK	Albert Hernandez
109	3:18-PO-00086-CMK	Jeffrey J. Quinlain
110	3:18-PO-00096-CMK	Jon W. Payne
111	3:18-PO-00097-CMK	Roy J. Petersen
112	3:18-PO-00102-CMK	Franklin A. Patty
113	3:18-PO-00114-CMK	Nhou C. Vang
114	3:18-PO-00123-CMK	Charles K. Day
115	3:18-PO-00178-CMK	Bobby Manjoet
116	3:18-PO-00262-DMC	Michael J. Singer
117	3:18-PO-00281-DMC	Daniel R. Bordner

	ECF Case Number	Defendant
118	3:18-PO-00291-DMC	Nicholas P. Johnson
119	3:18-PO-00305-DMC	Tou Thao
120	3:18-PO-00340-DMC	Caleb L. Centeno
121	3:18-PO-00342-DMC	Darrin R. Dickson
122	3:18-PO-00346-DMC	John A. Gray Jr
123	3:18-PO-00353-DMC	Jackson C. Kircher
124	3:18-PO-00357-DMC	Tracy A. Line
125	3:18-PO-00361-DMC	Maguel K. Mendez
126	3:18-PO-00368-DMC	Casey J. Rowland
127	3:18-PO-00371-DMC	Deborah Stein
128	3:18-PO-00376-DMC	Antonia D. Bautist-Adalson
129	3:18-PO-00382-DMC	Jullian J. Haymon
130	3:18-PO-00387-DMC	Kiel Laubisch
131	3:18-PO-00396-DMC	Ton Fow Saephan
132	3:18-PO-00401-DMC	Deon M. Stanford
133	3:18-PO-00418-DMC	Jose F. Mendoza
134	3:18-PO-00421-DMC	Rachel I. Rabago
135	3:18-PO-00423-DMC	Eberto Tafolla-Solorio
136	3:18-PO-00426-DMC	Ethan J. Willison
137	3:18-PO-00427-DMC	Riley E. Young
138	3:18-PO-00441-DMC	Brian J. Schricker
139	3:19-PO-00062-DMC	Aaron D. Hightower
140	3:19-PO-00064-DMC	Richard E. Kiser Jr
141	3:19-PO-00082-DMC	Michael A. Crist
142	3:19-PO-00125-DMC	Danny Pitcher
143	3:19-PO-00141-DMC	Fermin C. Salas Jr
144	3:19-PO-00227-DMC	Christina M. Halcon
145	3:19-PO-00228-DMC	Billy W. Larkins
146	3:19-PO-00264-DMC	Candice R. Beals
147	3:19-PO-00267-DMC	Ismael Caro Jr
148	3:20-PO-00002-DMC	Christian C. Arguello
149	3:20-PO-00005-DMC	Daniel R. Bowman
150	3:20-PO-00008-DMC	Jerry W. Cox
151	3:20-PO-00009-DMC	Nathaniel E. Craig
152	3:20-PO-00013-DMC	Rachelle L. Munoz
153	3:20-PO-00020-DMC	Troy C. Tolan
154	3:20-PO-00040-DMC	Santiago D. Ibanez
155	3:20-PO-00137-DMC	James Thomas
156	3:20-PO-00216-DMC	Jose U. Alvarez-Madrigal
157	3:20-PO-00232-DMC	Julie M. Byers
158	3:20-PO-00273-DMC	Zachary M. Hancock

	ECF Case Number	Defendant
159	3:20-PO-00281-DMC	Adrian L. Henson
160	3:20-PO-00282-DMC	Jon U. Hershman
161	3:20-PO-00291-DMC	Jesse C. Keisner
162	3:20-PO-00315-DMC	Jason F. Munoz
163	3:20-PO-00349-DMC	Steven W. Schick
164	3:20-PO-00363-DMC	Dustin W. Webster
165	3:20-PO-00395-DMC	Arthur Chacon
166	3:20-PO-00414-DMC	Vincent Galindo
167	3:20-PO-00428-DMC	Shane L. Hayes
168	3:20-PO-00449-DMC	Matthew C. Morrison
169	3:20-PO-00477-DMC	Kevin L. Son
170	3:21-PO-00010-DMC	Simon L. Bigall
171	3:21-PO-00022-DMC	Ashley Hitcher
172	3:21-PO-00063-DMC	Robert J. McMaster
173	3:21-PO-00072-DMC	Jim H. Harper
174	3:21-PO-00077-DMC	Juan Perez
175	3:21-PO-00111-DMC	Jose J. Esparza
176	3:21-PO-00119-DMC	Jon W. Graham
177	3:21-PO-00136-DMC	Levi M. Rogers
178	3:21-PO-00158-DMC	Rebecca Clarke
179	3:21-PO-00175-DMC	Jade S. Wilt
180	3:21-PO-00183-DMC	Milton L. Booker
181	3:21-PO-00193-DMC	Johnny W. Gragg
182	3:21-PO-00195-DMC	David W. Griffin
183	3:21-PO-00290-DMC	Tia A. Smith
184	3:21-PO-00324-DMC	Colton Hastings
185	3:21-PO-00345-DMC	Adrienne J. Blake
186	3:22-PO-00018-DMC	Brian D. Tynes
187	3:22-PO-00030-DMC	Anthony Jimenez
188	3:22-PO-00043-DMC	Michael J. McDonald
189	3:22-PO-00065-DMC	Eli J. Hancock
190	3:22-PO-00105-DMC	Christopher L. Simmons
191	3:22-PO-00117-DMC	Sean Roccoforte
192	3:22-PO-00222-DMC	Valeria C. Diaz
193	3:22-PO-00231-DMC	Peter J. Grundig
194	3:22-PO-00245-DMC	Domanick W. Rawlins
195	3:22-PO-00262-DMC	Brandy L. Bemis
196	3:22-PO-00273-DMC	Karolina Hajdas